

REMARKS

I. Status of the Claims

Claims 1-20 are canceled. Claims 21-28 are pending.
Claims 21 and 22 are currently amended.

II. Claim Rejections

1. Claims 21-22 stand rejected under 35 USC § 102(b) as being anticipated by Yan et al., U.S. 2002/0152116.

2. Claims 23 and 25 stand rejected under 35 USC § 103(a) as being unpatentable over Yan, U.S. 2002/0152116, in view of Shurling et al., U.S. Patent 6,009,415.

3. Claims 24 and 26-28 stand rejected under 35 USC § 103(a) as being unpatentable over Yan, U.S. 2002/0152116, in view of Shurling et al., U.S. Patent 6,009,415, and further in view of Selgas et al., U.S. Patent 6,571,290.

III. ARGUMENT

A. Yan

Claims 21-22 stand rejected under 35 USC § 102(b) as being anticipated by Yan et al., U.S. 2002/0152116. Applicant respectfully traverses this rejection.

Independent claim 21

Referencing paragraph 31, Yan teaches an authorized user of a credit card who incurs debts on the card, and providing the authorized user of the credit card with an award that itself represents an opportunity to recover at least a portion of the total amount of the incurred debts. In one mode of operation, Yan provides generating fixed rebates for all transactions of the authorized user in a given segment. As disclosed by Yan, the fixed rebating mode of operation provides debt relief for the authorized user, in which fixed rebates are applied to transactions or accounts of the authorized user, which allows the authorized user to recover a portion of an incurred debt relating to such transactions or accounts. Another mode of operation is awarding a deep sweepstake rebate where a transaction or account of the authorized user is dynamically selected for a fixed discount percent. Yet

another mode of operation is a dynamic rebate that is applied to all or a selected number of transactions of the authorized user. The dynamic mode of operation provides debt relief for the authorized user, in which a deep sweepstake rebate engine dynamically selects transactions or accounts of the authorized user to receive a specified rebate, and/or dynamically generates varying rebates for each customer and/or each transaction. Like the fixed rebate state of operation, the dynamic rebate state of operation provides customers with a mechanism to recover a portion of an incurred debt relating to transactions or accounts.

In independent claim 21, the claimed method is drawn to providing an authorized user of a credit card issued by a service provider; the authorized user incurring debt on the credit card; for a predetermined amount of debt incurred by the authorized user on the credit card, the service provider submitting an entry into a sweepstakes on behalf of the authorized user; and the sweepstakes comprising a contest in which a prize unrelated to the debt incurred by the authorized user is awarded to a winning entry of a plurality of entries of the sweepstakes, the entry of the authorized user comprising one of the entries.

The invention claimed in claim 21 does not relate to debt relief by providing rebates back to an authorized user relating to certain accounts or transactions of the authorized user as shown by Yan. Rather, claim 21 is concerned with for a predetermined amount of debt incurred by the authorized user on the credit card the service provider submitting an entry into a sweepstakes on behalf of the authorized user, in which the sweepstakes comprises a contest in which a prize unrelated to the debt incurred by the authorized user is awarded to a winning entry of a plurality of entries of the sweepstakes, the entry of the authorized user comprising one of the entries. In Yan, the term "sweepstakes" relates to providing an authorized user with debt relief in which a transaction or account of the authorized user is dynamically selected for a discount percent, which comprises a certain amount of debt relief for an incurred debt. In Yan, the debt relief provided to a transaction or account of the authorized user is clearly related to the incurred debt. However, the claimed sweepstakes in claim 21 is not concerned with relieving an authorized user of debt or relating an award to a debt by providing a rebate in the form of debt relief to an account or transaction of the authorized user. To the contrary, in claim 21 for a predetermined amount of debt incurred by the

authorized user on the credit card the service provider submits an entry into a sweepstakes on behalf of the authorized user, in which the sweepstakes, unlike the sweepstake debt relief system of Yan, comprises a contest in which a prize unrelated to the debt incurred by the authorized user is awarded to a winning entry of a plurality of entries of the sweepstakes, the entry of the authorized user comprising one of the entries. In Yan, the service provider does not make an entry into a sweepstake on behalf of the authorized user, in which the sweepstake comprises a contest in which a prize unrelated to the debt incurred by the authorized user is awarded to a winning entry of a plurality of entries of the sweepstakes, and the entry of the authorized user comprises one of the entries. Rather, Yan provides customers with rebates for incurred debts, which are fixed or randomly selected. Accordingly, Yan does not teach of each and every element specified in applicant's independent claim 21, and the section 102 rejection of claim 21 is believed to be moot and should be withdrawn.

Dependent claim 22

Claim 22 is dependent upon a claim that is allowable according to the argument set forth above and, therefore, is allowable.

B. Yan and Shurling et al.

Claims 23 and 25 stand rejected under 35 USC § 103(a) as being unpatentable over Yan, U.S. 2002/0152116, in view of Shurling et al., U.S. Patent 6,009,415. Applicant respectfully traverses this rejection.

Dependent claims 23 and 25

Claims 23 and 25 are dependent upon a claim that is allowable according to the argument set forth above and, therefore, each of them is allowable.

C. Yan, Shurling et al., and Selgas et al.

Claims 24 and 26-28 stand rejected under 35 USC § 103(a) as being unpatentable over Yan, U.S. 2002/0152116, in view of Shurling et al., U.S. Patent 6,009,415, and further in view of Selgas et al., U.S. Patent 6,571,290. Applicant respectfully traverses this rejection.

Dependent claims 24 and 26-28

Claims 24 and 26-28 are dependent upon a claim that is allowable according to the argument set forth above and, therefore, each of them is allowable.

D. Conclusion

Pursuant to the foregoing, Applicant believes that the rejection of independent claim 1 is not supported by the prior art of record in this case, and that the rejection thereof and the rejections of the corresponding dependent claims are moot and should be withdrawn. Applicant traverses each and every rejection set forth in Paper No. 20071128. Any particular rejection not specifically addressed is not to be deemed to be Applicant's agreement with, or Applicant's acquiescence to, the Examiner's position or interpretation of the prior art. It is to be understood that Applicant's present response is for the purpose of overcoming the rejections of the subject matter set forth in the pending independent claims, in which the subject matter claimed therein is presently desirable to Applicant in the present application.

In view of the foregoing, Applicant submits that the invention disclosed and claimed in this application is patentable and neither anticipated nor obvious over the prior art of record in this case. Therefore, allowance of the present application is in order and respectfully requested.

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Respectfully submitted,

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